

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

SHAROLYN BRANTLEY)	
MONTGOMERY ALLEN,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:19cv488-MHT
)	(WO)
URMIL S. PATEL, M.D.,*)	
)	
Defendant.)	

OPINION

Plaintiff, a prisoner formerly incarcerated at the Montgomery County jail, filed this lawsuit asserting that the defendant physician, who works in the Jackson Hospital emergency room, failed to provide adequate medical care for plaintiff when she was brought to the hospital from the jail for treatment of discomfort and tenderness in her calf; as a result of defendant's acts and omissions, she contends, her leg became septic and she had to undergo surgery on it two weeks later. She also contends that she received insufficient follow-up

* The clerk of court shall amend the docket to reflect the full name of the defendant, Urmil S. Patel, M.D.

treatment after the surgery. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge (1) that defendant's motion for summary judgment be granted as to plaintiff's federal claims against him; and (2) that the court should decline to exercise supplemental jurisdiction over plaintiff's state claims, and they should be dismissed without prejudice to allow plaintiff to pursue them in an appropriate forum. The dismissal of the state claims should not prejudice plaintiff, for the period of limitations for filing the state claims in state court will be tolled "for a period of 30 days" after they are dismissed "unless State law provides for a longer tolling period." 28 U.S.C. § 1367(d).

There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 24th day of March, 2022.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE